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Room 322  
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IN REPLY REFER TO:  
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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

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Honorable Jim Slattery  
House of Representatives  
2243 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Slattery:

This is in reply to your letter of July 14, 1993, in which you inquired on behalf of your constituent, Dr. E. Phillip Miller, regarding the Notice of Proposed Rule Making (Notice) in PR Docket No. 92-235, 57 FR 54034 (1992). The Communications Act of 1934, as amended, including Section 303(g), directs the Commission to formulate rules to meet the spectrum needs of public safety and other two-way mobile users and to promote innovative technologies. Thus, this Notice proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

The proposals in the Notice reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the Notice, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. I have enclosed for your information a copy of that part of the Notice that describes the numerous proposals, plus a discussion paper released March 1, 1993.

We are sensitive to the needs of users of private land mobile radio spectrum and the impact that these proposals may have on their radio systems, including the costs of required modifications. Your constituent's letter will be included in the record of the proceeding and will be fully evaluated when we develop final rules.

Thank you for your interest in this proceeding. We expect to issue final rules in 1994.

Sincerely,

/s/

Joseph A. Levin  
Chief, Policy and Planning Branch  
Private Radio Bureau

Enclosures

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**Congress of the United States**  
**House of Representatives**

July 14, 1993

JIM SLATTERY  
SECOND DISTRICT, KANSAS

The Honorable James Quello  
Acting Chairman  
Federal Communications Commission  
1919 M St., N.W.  
Washington, D.C. 20554

Dear Mr. Chairman:

I recently received the enclosed correspondence from E. Phillip Miller, D.V.M., secretary of the Jefferson County Firefighters Association, concerning NRPM-PR Docket No. 92-235.

In his correspondence, Dr. Miller expresses concern that this Notice of Proposed Rulemaking, if implemented, would cause an undue hardship of the Jefferson County rural, volunteer fire department. As the U.S. Representative for the Second District of Kansas, which includes Jefferson County, I share Dr. Miller's interest in this matter.

I would appreciate very much receiving from your staff a written response detailing the Federal Communications Commission's Actions with regard to this matter, including a description of any statutory directives that the FCC has received on this matter.

I will, of course, forward a copy of your response to Dr. Miller. Thank you very much for your attention to this matter.

Sincerely,

JIM SLATTERY  
Member of Congress

Staff Contact:  
Howard Bauleke  
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JUL 13 1993

JEFFERSON COUNTY FIREFIGHTERS ASSOCIATION  
ROUTE 2, BOX 142  
OSKALOOSA, KS 66066

July 7, 1993

Ms. Donna Searcy, Secretary  
Federal Communications Commission  
1919 M Street N.W. - Room 222  
Washington DC 20554

Re: PR Docket No. 92-235

Dear Ms. Searcy,

We believe that proposals in the NPRM (Notice of Proposed Rulemaking)-PR Docket No. 92-235 would cause an undue hardship on the 14 rural volunteer fire department members of our organization. In particular, splitting channels into 5 kHz and 6.25 kHz spacing and reducing transmitter deviation from 5 kHz to 3 kHz would cause an undue hardship. Implementation of these changes leaves small fire/emergency departments with only two alternatives: 1) modify present equipment and significantly reduce range and usefulness or 2) purchase all new equipment (not presently available). For small rural departments, an expenditure of this magnitude would exceed the normal annual budget. Considering the current emphasis to curb government spending and decrease taxes, it seems ludicrous to implement a proposal that would literally mean millions of additional tax dollars. While we recognize the need for addition space for land mobile users, surely a more cost effective means can be found that would not further exacerbate the present overwhelming tax burden.

Respectfully submitted,



E. Phillip Miller, D.V.M.  
Secretary

cc: Sen. Dole  
Sen. Kassebaum  
Rep. Slattery  
Rep. Meyers